

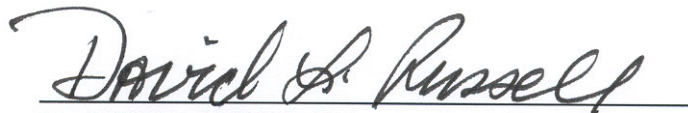
**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>RICKEY WHITE,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>No. CIV-23-528-R</b>
	)	
<b>OKLAHOMA DEPARTMENT OF</b>	)	
<b>CORRECTIONS, et al.,</b>	)	
	)	
<b>Respondents.</b>	)	

**ORDER**

This matter comes before the Court for review of the Report and Recommendation [Doc. No. 6] issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Erwin recommends that Petitioner’s Application to proceed in forma pauperis be denied and he be required to prepay the full filing fee. On July 5, 2023, Petitioner paid the \$5.00 filing fee. Therefore, the undersigned declines to adopt the Report and Recommendation, DENIES Petitioner’s Application for Leave to Proceed In Forma Pauperis and remands this matter to Judge Erwin for further proceedings consistent with the initial referral.<sup>1</sup>

IT IS SO ORDERED this 6<sup>th</sup> day of July, 2023.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> Petitioner also submitted an objection [Doc. No. 8] disputing his ability to pay the filing fee and a motion [Doc. No. 10] seeking an additional twenty days to pay the filing fee. In light of the receipt of the required filing fee, the objection and motion are both moot. Regardless, upon de novo review, the Court concurs with Judge Erwin’s conclusion that Petitioner has adequate funds to prepay the filing fee.